

REMARKS

Claims 1-6 and 8-20 are pending. By this amendment, claims 1, 10, 12, and 19 are amended. Support for the claim amendments can be found at least at page 4, lines 20-27 and page 5, lines 17-19 of the specification. Independent claims 1, 12, and 19 are amended to incorporate some limitations of original claim 10. No new matter is introduced. Reconsideration and issuance of a Notice of Allowance are respectfully requested.

Claim Rejections Under 35 U.S.C. §103

On page 4 the Office Action rejects claims 1-6 and 8-20 under 35 U.S.C. § 103(a) over U.S. Patent 5,590,056 to Barritz (hereafter Barritz) in view of U.S. Patent 6,301,615 to Kutcher (hereafter Kutcher) and further in view of U.S. Patent 6,272,677 to Lam et al. (hereafter Lam). With respect to claim 10, the Office Action asserts on page 7 that Barritz discloses “manually amending the inventory list (see, for example, column 11, lines 16-25, which shows manually amending the inventory).” This rejection is respectfully traversed.

Barritz is directed to an apparatus, and a corresponding method, for monitoring usage of computer programs, and similar events, and for recording such events. Specifically, at column 11, lines 16-25, Barritz states:

A number of variations and enhancements follow from the basic invention. For example, surveying program 12, monitoring program 22 and reporting program 60 can be directed to survey, monitor, and report only a user-specified list of products, or can be confined in their operations in other ways. Also for example, knowledge base 20 can be supplemented by information provided by the user. Further, the surveying program 12 can make use of other data bases in finds on the system to relate program module names to product names.

As apparent from the above paragraph, Barritz’s apparatus can survey, monitor, and report a user-specified list of products. However, monitoring and reporting a user-specified list of products indicates that a final monitoring report is not generated until after the user specifies a list of products. In other words, no file or report exists until after the user provides a list of products to be surveyed and monitored. This is very different from allowing an administrator to later actively amend or edit the already generated, existing inventory file and performance management tools configuration file. Accordingly, Barritz does not disclose or suggest the feature of enabling an administrator to manually edit the already generated, existing inventory file and performance management tools configuration file, let alone allowing the administrator to

manually edit the list and file differently for each installed application and performance management tool, and according to the current operating system environment.

Kutcher is directed to a system and method for monitoring the performance of computers on a network. Lam is directed to a method and system for automatic detection and distribution of code version updates. However, Kutcher and Lam, individually and in combination, do not cure Barritz's defect and do not disclose or suggest the feature of enabling an administrator to manually edit the already generated, existing inventory list and performance management tools configuration file differently for each installed application and performance management tool, and according to the current operating system environment.

In contrast to Barritz, Kutcher, and Lam, amended claim 1 recites "generating an inventory list ... generating a performance management tools configuration ... enabling the administrator to manually edit the generated inventory list and the generated performance management tools configuration differently for each installed application and performance management tool, and according to the current operating system environment." As noted above, Barritz, Kutcher, and Lam, individually and in combination, do not disclose or suggest this feature. Therefore, amended claim 1 is patentable.

Claims 2-6 and 8-11 depend from patentable claim 1, and for this reason and the additional features they recite, claims 2-6 and 8-11 are also patentable.

Independent claim 12 is an apparatus claim that corresponds to method claim 1. For the same reasons as noted above with respect to claim 1, claim 12 is also patentable. Claims 13-18 depend from patentable claim 12, and for this reason and the additional features they recite, claims 13-18 are also patentable.

Independent claim 19 is a method claim generally corresponding to method claims 1 and 9. For the same reasons as noted above for patentability of claims 1 and 9, claim 19 is also patentable. Claim 20 depends from patentable claim 19, and for this reason and the additional features it recites claim 20 is also patentable.


In view of the above remarks, Applicant respectfully requests withdrawal of the rejection of claims 1-6 and 8-20 under 35 U.S.C. § 103(a). Prompt examination and allowance are respectfully requested.

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Reply to Office Action of September 1, 2006

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

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Respectfully submitted,



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